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TO:	PHONE #:	FAX #:
Examiner Gailene Gabel USPTO		(703) 308-4242

From : Michael A. Whittaker
Email Address : Mwhittaker@foleylaw.com
Sender's Direct Dial : 858.847.6721
Date : February 3, 2003
App. Serial Number : 09/835,287
Client/Matter No : 071957-1102
User ID No : 0093

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Atty. Dkt. No. 071957-1102

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David R. Kaplan

Title: Methods for Detecting an
Analyte of Interest Using
Catalized Reporter Deposition of
Tyramide

Appl. No.: 09/835,287

Filing Date: 04/13/2001

Examiner: Gailene Gabel

Art Unit: 1641

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February 3, 2003

(Date of Transmission)

Lisa Gauthier

(Printed Name)



(Signature)

AMENDMENT TRANSMITTAL

Commissioner for Patents
Box NON-FEE AMENDMENT
Washington, D.C. 20231

Sir:

Transmitted herewith is an amendment in the above-identified application.

☒ The fee required for additional claims is calculated below:

	Claims as Amended		Previously Paid For		Extra Claims Present		Rate		Additional Claims Fee
Total Claims:	34	—	36	=	0	x	\$18.00	=	\$0.00
Independents:	2	—	3	=	0	x	\$84.00	=	\$0.00
First presentation of any Multiple Dependent Claims:						+	\$280.00	=	\$280.00
Small Entity 1/2 Reduction									\$140.00
CLAIMS FEE TOTAL:									= \$140.00

☐ Please charge Deposit Account No. 50-0872 in the amount of \$140.00. A duplicate copy of this transmittal is enclosed.

☐ A check in the amount of \$140.00 is enclosed.

Atty. Dkt. No. 071957-1102

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. **50-0872**. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. **50-0872**.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date: February 3, 2003

FOLEY & LARDNER

Customer Number: 30542



30542

PATENT TRADEMARK OFFICE

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By

Michael A. Whittaker
Attorney for Applicant
Registration No. 46,230

Docket No.: 071957-1102

Patent

#17/A
2/5/03
lw

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David R. Kaplan

Serial No.: 09/835,287

Filed: April 13, 2001

Title: Methods for Detecting an Analyte of
Interest Using Catalyzed Reporter Deposition
of Tyramide

Examiner: Gailene Gabel

Art Unit: 1641

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February 3, 2003

(Date of Transmission)

Line Gauthier

(Printed Name)

(Signature)

RESPONSE TO OFFICE ACTION

Commissioner for Patents
Washington, D.C. 20231
Box Non-Fee Amendment

Dear Sir:

In response to the Office Action mailed November 6, 2002 ("Paper No. 9"), please enter
the following amendments and consider the following remarks.

IN THE CLAIMS

Please cancel claims 21-36, which were removed from consideration by the Examiner
following a restriction requirement, without prejudice to their future prosecution. Please replace
claims 1-20 with the following amended claims. A marked-up set of claims, indicating the
changes made,

Sub
A, B
1. (Amended) A method of detecting the presence of an intracellular analyte in one or more cells
by flow cytometry, the method comprising:

- a) fixing and permeabilizing said cells;